

A G E N D A



**MONTGOMERY COUNTY PUBLIC SERVICE AUTHORITY
Regular Meeting
County Administration Conference Room
Montgomery County Government Center
July 6, 2009
7:00 P.M.**

I. CALL TO ORDER

II. DETERMINATION OF QUORUM

III. PUBLIC ADDRESS SESSION

IV. CONSENT AGENDA

V. NEW BUSINESS

- A. Fire Hydrant Availability Fees – Roll Over
- B. Year-End Facility Fees – Transfer to Board Designated Reserves
- C. Warm Hearth Sanitary Sewer Pump Station Replacement Project – Bid Award

VI. FINANCIAL REPORT

VII. DIRECTOR'S REPORT

VIII. AUTHORITY MEMBERS' REPORT

IX. INTO CLOSED MEETING

- Section 2.2-3711 (7) Consultation with Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring the Provision of Legal Advice by Such Counsel
 - 1. Sewer Agreement – City of Radford

X. OUT OF CLOSED MEETING

XI. CERTIFICATION OF CLOSED MEETING

XII. ADJOURNMENT

TO: PSA Board of Directors
FROM: Robert C. (Bob) Fronk, PSA Director
DATE: July 2, 2009
SUBJECT: **AGENDA REPORT - PSA REGULAR MEETING – JULY 6, 2009**

I. CALL TO ORDER

The Chair will call this meeting to order.

II. DETERMINATION OF QUORUM

The Chair will determine if a quorum is present.

III. PUBLIC ADDRESS SESSION

The Chair will ask if there are any comments from the public. Each person will be allowed five minutes to address the Board.

IV. CONSENT AGENDA

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby approves the Consent Agenda, dated July 6, 2009.

V. NEW BUSINESS

**A. SUBJECT: FIRE HYDRANT AVAILABILITY FEES
ROLL OVER TO FY 2010 BUDGET**

**R09-07-1
RESOLUTION APPROVING
ROLL OVER OF FIRE HYDRANT AVAILABILITY FEES
TO FY 2010 BUDGET**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby authorizes the PSA Director to roll over \$13,055 for fire hydrant availability fees from the 2009 PSA budget to the 2010 PSA budget.

ISSUE/PURPOSE: Montgomery County paid \$13,055 to the PSA for fire hydrant availability fees. Due to the timing off the contract for this work, the work will occur after FY 2009, starting July 2009; therefore, the Director is requesting that the funds be rolled over to the FY 2010 PSA Budget.

**B. SUBJECT: YEAR-END FACILITY FEES -
TRANSFER TO BOARD DESIGNATED
RESERVES**

**R09-07-2
RESOLUTION AUTHORIZING DIRECTOR
TO ROLL OVER \$60,000 FROM YEAR-END 09
FACILITY FEES TO BOARD DESIGNATED RESERVES**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby authorizes the PSA Director to roll over \$60,000 from year-end 09 facility fees to the Board Designated Reserves.

ISSUE/PURPOSE: The year-end facility fees level is such that funds could be transferred to the reserve account to help build up that account to desired level.

**C. SUBJECT: WARM HEARTH SANITARY SEWER
PUMP STATION REPLACEMENT
PROJECT – BID AWARD**

**R09-07-3
RESOLUTION APPROVING AWARD OF BID
TO STRUCTURES & UTILITIES CO., INC.
IN THE AMOUNT OF \$190,000 FOR THE
WARM HEARTH SANITARY SEWER PUMP STATION
REPLACEMENT PROJECT**

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby approves bid submitted by Structures & Utilities Co., Inc., in the amount of \$190,000 for the Warm Hearth Sanitary Sewer Pump Station Replacement Project; and, that the Chair is hereby authorized to execute documents pertaining to this award.

ISSUE/PURPOSE: Award contract for the Warm Hearth Sanitary Sewer Pump Station Replacement Project.

JUSTIFICATION: The PSA borrowed \$150,000 for this project when the Rural Development loans were refinanced, which was placed in reserves. Additional project funding was to be from reserves. The Director recommends accepting the submitted bid and award the project to Structures & Utilities Co., Inc. See Item 2.

VI. FINANCIAL REPORT

The financial report for period ending June 30, 2009 will be presented for review and discussion. See Item 3.

VII. DIRECTOR'S REPORT

The Director's report will be presented at this time. See Item 4.

VIII. AUTHORITY MEMBERS' REPORT

1. Member Muffo
2. Member Politis
3. Member Perkins
4. Member Brown
5. Member Marrs
6. Member Biggs
7. Member Creed

IX. INTO CLOSED MEETING

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority hereby enters into Closed Meeting for discussion of the following:

Section 2.2-3711	(7)	Consultation with Legal Counsel and Briefings by Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring the Provision of Legal Advice by Such Counsel
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1. Sewer Agreement – City of Radford

X. OUT OF CLOSED MEETING

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority ends their Closed Meeting to return to Regular Session.

XI. CERTIFICATION OF CLOSED MEETING

PROPOSED RESOLUTION:

WHEREAS, the Public Service Authority of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2.3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Public Service Authority does hereby agree, that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the meeting to which this certification resolution applies; and (ii) only public business matters as were identified in the motion conveying the Closed Meeting were heard, discussed or considered by the Authority.

XII. ADJOURNMENT

PROPOSED RESOLUTION:

BE IT RESOLVED, that the Public Service Authority does hereby adjourn to the next meeting scheduled for August 3, 2009.

CONSENT AGENDA
July 6, 2009

A. APPROVAL OF MINUTES

**1. SUBJECT: APPROVAL OF MINUTES DATED
JUNE 1, 2009**

ISSUE/PURPOSE: The above listed minutes are before the
Board for approval. See Item **1**.